

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

UNITED STATES OF AMERICA for the)
use and benefit of SCHNEIDER)
ELECTRIC BUILDING AMERICAS, INC.,)
SPC MECHANICAL CORPORATION,)
and WATSON ELECTRICAL)
CONSTRUCTION CO., LLC,)

Plaintiffs,)

v.)

CBRE HEERY, INC. f/k/a HEERY)
INTERNATIONAL, INC., TRAVELERS)
CASUALTY AND SURETY COMPANY)
OF AMERICA, LIBERTY MUTUAL)
INSURANCE COMPANY, FIDELITY)
AND DEPOSIT COMPANY OF)
MARYLAND, AND FEDERAL)
INSURANCE COMPANY,)

Defendants.)

JUDGMENT

No. 5:20-CV-257-BR

Decision by Court.

This action came before this Court for ruling as follows:

IT IS ORDERED, ADJUDGED AND DECREED that pursuant to the Court's order dated 1/22/2021, Plaintiffs' unopposed motion to voluntarily dismiss their twenty-third claim for relief is ALLOWED, and that claim is DISMISSED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that pursuant to the Court's order dated 7/26/2021, SPC Mechanical Corporation's and Watson Electrical Construction Co., LLC's gross negligence claim (seventeenth claim for relief) is DISMISSED WITH PREJUDICE for failure to state a claim.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that pursuant to the Court's order dated 1/6/2022, the second Amended Complaint by Plaintiffs against Defendants CBRE Heery, Inc.f/k/a Heery International, Inc., Travelers Casualty and Surety Company of America, Liberty Mutual Insurance Company, Fidelity and Deposit Company of Maryland, and Federal Insurance Company in this action is dismissed WITH PREJUDICE.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that pursuant to the Court's order dated 1/6/2022, the Counterclaim by Defendant CBRE Heery, Inc. f/k/a Heery International, Inc. against Plaintiff SPC Mechanical Corporation in this action is dismissed WITH PREJUDICE.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that pursuant to the Court's order dated 1/6/2022, all claims that were or could have been pleaded arising out of the Project commonly referred to as the "Koritz Medical Clinic Replacement Project," located on the Seymour Johnson Air Force Base, in Goldsboro, North Carolina, which is the subject of this litigation are dismissed WITH PREJUDICE.

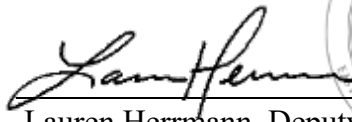
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that pursuant to the Court's order dated 1/6/2022, as to claims by and between Plaintiffs and Defendants CBRE Heery, Inc. f/k/a Heery International, Inc., Travelers Casualty and Surety Company of America, Liberty Mutual Insurance Company, Fidelity and Deposit Company of Maryland, and Federal Insurance Company, each party shall pay its own costs and attorneys' fees.

This Judgment Filed and Entered on January 7, 2022 with service on:

Matthew K. Stiles, Steven L. Smith (via CM/ECF Notice of Electronic Filing)
Heather F. Shore, Brendan M. Quinn, Diane Hastings Lewis, Kristen P. Watson, Mignon A. Lunsford, Ryan Lee Beaver (via CM/ECF Notice of Electronic Filing)

Date: January 7, 2022

PETER A. MOORE, JR., CLERK OF COURT


Lauren Herrmann, Deputy Clerk

